



State of Utah

Department of
Natural Resources

Division of
Oil, Gas & Mining

ROBERT L. MORGAN
Executive Director

LOWELL P. BRAXTON
Division Director

OLENE S. WALKER
Governor

GAYLE F. McKEACHNIE
Lieutenant Governor

February 25, 2004

CERTIFIED RETURN RECEIPT
7099 3400 0016 8896 2932

Mr. Kay Christofferson
H.E. Davis Construction, Inc.
525 West Arrowhead Trail
P.O. Box 488
Spanish Fork, Utah 84639

Subject: Potential Non-Compliance and Division Directive, H.E. Davis
Construction, Inc., Henry #1 and 2 Mine, M/023/023, County, Utah

Dear Mr. Christofferson:

On July 16, 2003, the Division performed an onsite inspection of your Henry #1 and 2 mine site. During our inspection we confirmed that a large portion of the existing waste rock dump had been built on private land. The original approved mine plan did not contemplate any dump larger than approximately a half an acre. It also did not contemplate any dump being placed on private land. You were directed to submit an amendment to the approved plan within 30 days or by November 14, 2003. The Division received a Notice of Intention to Revise Mining Operations on November 18, 2003. Unfortunately, we were not able to complete our evaluation until recently.

Upon our review of your latest notice, we find that it did not reference or address pertinent sections of the approved plan that would be changed or revised. The revision and the maps you submitted showing current disturbance are significantly different from what was proposed under the approved plan. It appears there is still some confusion on what is required to update your approved plan and bring this operation into compliance.

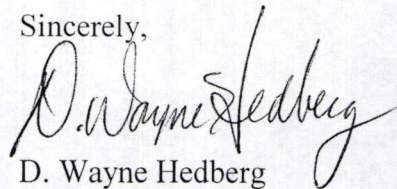
DIVISION DIRECTIVE: It is hereby directed that within 10 days of your receipt of this directive, H.E. Davis contact the Division to schedule a meeting to discuss

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what information is needed to bring this plan into compliance with all the applicable regulatory requirements.

Please contact Joelle Burns at (801) 538-5291 or Tom Munson at 538-5321 to schedule this meeting. Thank you for your immediate attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Wayne Hedberg". The signature is fluid and cursive, with the first name "D." and last name "Hedberg" clearly distinguishable.

D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

DWH:TM:jb

cc: Tom Shore, U.S. Forest Service
Mary Ann Wright, DOGM

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